

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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PATRICK A. NAVAS,

Plaintiff,

**ORDER**

-against-

23 Civ. 4943 (AEK)

POLICE OFFICER J. A. VLASATY, *et al.*,

Defendants.

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**THE HONORABLE ANDREW E. KRAUSE, U.S.M.J.**

The Court has reviewed the status update letter filed by Defendants. *See* ECF No. 66.

An in-person conference is hereby scheduled for **Monday, September 8, 2025 at 10:30 a.m.** in Courtroom 250 to discuss the matters raised in the letter.

(1) So that the Court may better assess the claimed deficiencies in Plaintiff's discovery responses, **by no later September 2, 2025**, Defendants must file via ECF a letter attaching (i) a copy of the Individual Town Police Officer Defendants' demand for contention interrogatories, (ii) a copy of Plaintiff's responses to those contention interrogatories, and (iii) a copy of the Defendant Town's further requests for production of documents to which no responses have been provided.

Plaintiff is hereby ordered to prepare and gather the following, **and to bring them to the September 8, 2025 conference**: (i) a more legible version of his responses to the interrogatories; (ii) written responses to the Defendant Town's outstanding requests for production of documents; and (iii) any documents in his possession that are responsive to the Defendant Town's outstanding requests for production of documents. If Plaintiff fails to do any of these things, the Court may issue sanctions, **including precluding Plaintiff from using any**

**documents that he has not turned over, either as part of his opposition to Defendants’ motion for summary judgment, or at trial if Plaintiff’s claims survive the motion.** Despite Plaintiff’s repeated and ongoing failures to comply with the Court’s discovery orders, the Court again denies without prejudice Defendants’ request for leave to file a motion to dismiss pursuant to Rule 37 or Rule 41(b) of the Federal Rules of Civil Procedure on this basis.

(2) The Court is deeply troubled by Defendants’ description of Plaintiff’s alleged behavior during his depositions. Defendants are hereby directed to submit excerpts of the deposition transcripts evidencing this behavior by the September 2, 2025 deadline as well.

**Plaintiff is hereby put on notice that disruptive, abusive, and threatening behavior is unacceptable, will not be tolerated, and could likewise lead to the imposition of sanctions.**

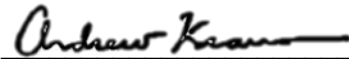
Defendants are not authorized to file a motion for dismissal pursuant to Rule 37 based on Plaintiff’s alleged conduct at this time; they will, however, be permitted to raise this argument as an additional basis for dismissal as part of the forthcoming motion for summary judgment.

(3) Regarding the motion, the proposed briefing schedule for the motion for summary judgment is hereby ADOPTED: (i) Defendants’ motion for summary judgment must be filed and served by October 13, 2025; (ii) Plaintiff’s opposition submission must be filed by December 12, 2025; and (iii) Defendants’ reply submission (if any) must be filed and served by January 5, 2026.

The Clerk of Court is respectfully directed to mail a copy of this Order to the *pro se* Plaintiff. Chambers staff also will send a copy of the Order to Plaintiff via email.

Dated: August 14, 2025  
White Plains, New York

**SO ORDERED.**

A handwritten signature in black ink, appearing to read "Andrew Krause", written over a horizontal line.

ANDREW E. KRAUSE  
United States Magistrate Judge